



CYPR-CD01209M

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Nemecek,

Serial No.: 09/998,859

Filing Date: November 15, 2001

FOR: A SYSTEM AND A METHOD FOR CHECKING
LOCK STEP CONSISTENCY BETWEEN AN
IN CIRCUIT EMULATION AND A
MICROCONTROLLER WHILE DEBUGGING
PROCESS IS IN PROGRESS

Examiner: Thompson, A. M.

Art Unit: 2825

**DECLARATION UNDER 37 C.F.R. §1.132 TRAVERSING GROUNDS OF
REJECTION UNDER 35 U.S.C. § 102(b)**

Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

I, Nathan John, do hereby declare and say:

My home address is 6708 185th St. S.E. Snohomish, WA 98296.

I have been employed by Cypress Microsystems since February 29, 2000. I am currently the Director of Marketing for Cypress, a position I have held since first coming to the company.

I have reviewed U.S. Patent Application No. 09/998,859, entitled, "A System and a Method for Checking Lock Step Consistency Between an In Circuit Emulation and a Microcontroller while Debugging Process is in Progress," filed in the United States Patent Office on November 15, 2001 (hereinafter, the present Patent Application). I have studied the entire specification, drawings, and claims. I understand the language of the claims and the scope thereof. I understand the invention as claimed.

As Director of Marketing, I am one of the people that approves the capabilities in a product prior to release to our customer base. On or about November 13, 2000, Cypress Microsystems, a subsidiary of Cypress Semiconductor, introduced a family of programmable system-on-a-chip (PSoC™) devices. The PSoC™ devices are semiconductor products, and are our core business. The subject matter claimed the present Patent Application was not included in the family of programmable system-on-a-chip released by Cypress Microsystems on or about November 13, 2000. The subject matter claimed in the present Patent Application refers instead to the development tools that were being created to support our customer base in successfully using the PSoC™ devices.


The subject matter claimed in the present Patent Application was first introduced to the public no earlier than March 6, 2001. Prior to that date, the subject matter claimed in the present Patent Application was not on sale nor offered for sale.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and

the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Date: August 19, 2003



Signature

Full Name: Nathan John